

# **EXHIBIT A**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 Before The Honorable Susan Illston, District Judge  
4

5 CALIFORNIANS FOR ALTERNATIVES )  
6 TO TOXICS, )  
7 Plaintiff, )  
8 vs. ) No. C 24-06632-SI  
9 TRAVIS MOREDA DAIRY, et al., )  
10 Defendants. )

11 San Francisco, California  
12 Friday, November 14, 2025

13 TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND  
14 RECORDING 2:47 - 2:58 = 11 MINUTES

15 APPEARANCES:

16 For Plaintiff:

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25 (APPEARANCES CONTINUED ON THE NEXT PAGE.)

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BY: PETER HSIAO, ESQ.

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1 Friday, November 14, 2025

2:47 p.m.

2 P-R-O-C-E-E-D-I-N-G-S

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4 THE CLERK: Now calling civil matter 24-CV-6632,  
5 Californians for Alternative to Toxics versus Travis Moreda  
6 Dairy, et al.

7 Counsel, please state your appearances for the record,  
8 starting with Plaintiffs.

9 MR. VERICK (via Zoom): William Verick for  
10 Plaintiff Californians for Alternatives to Toxics.

11 THE COURT: Good afternoon.

12 MR. VERICK: Good afternoon.

13 MR. MOORE (via Zoom): Good afternoon, your Honor.  
14 Alex Moore for Defendants Travis Moreda and Travis Moreda  
15 Dairy. I'm joined by my partner Peter Hsiao.

16 THE COURT: Good afternoon.

17 I'm just looking at your statement. Discovery is open,  
18 period.

19 Now remind me what your argument is that I have no  
20 subject matter jurisdiction, Mr. Moore?

21 MR. MOORE: Yes, your Honor.

22 So under the Clean Water Act, Plaintiff was required to  
23 file a notice 60 days before filing a lawsuit that provided  
24 adequate notice of the violation and the timing of the  
25 violation, the nature of the violation. A number of details

1 are required under the Clean Water Act. The Ninth Circuit  
2 has said as much in its case, Center for Biological  
3 Diversity vs. Marina Point Development Company. And there  
4 it's a very, very similar case in which a product sponsor  
5 piled dirt next to a lake. A -- the Center for Biological  
6 Diversity filed a notice or sent a notice to the product  
7 sponsor saying that this was a violation of the Clean Water  
8 Act because when it rains, some of that dirt might flow into  
9 a nearby lake. And the Ninth Circuit unequivocally said  
10 that isn't enough. That isn't notice. And that's exactly  
11 what we have here in this case. Plaintiff is saying, "You  
12 discharge pollutants when it rains," and that can't be  
13 enough to meet this notice requirements because that would  
14 essentially eviscerate the requirement itself, and Plaintiff  
15 would be able to sue anyone at any time for any issue  
16 without evidence.

17 THE COURT: Mr. Verick?

18 MR. VERICK: Well, if they have that argument,  
19 they could make that argument on a motion to dismiss. They  
20 filed a motion to dismiss -- I guess it would be called a  
21 motion for judgment on the pleadings, but --

22 THE COURT: It should have been, but it wasn't.  
23 It was called a motion to dismiss.

24 MR. VERICK: Right. But you sort of treated it  
25 the same way.

1 And they could file a motion for judgment on the  
2 pleadings, and we can brief that issue if that's what they  
3 want to do. The notice letter is the notice letter, and  
4 there wouldn't be any need for a discovery or anything else.

5 THE COURT: All right. Is that what you want to  
6 do then, Mr. Moore? Should we just brief that up?

7 MR. MOORE: Well, yes, your Honor. We intend to  
8 essentially follow your lead in the order that you sent us,  
9 which would be to do three things. We will respond to  
10 Plaintiff's discovery -- written discovery, their rogs,  
11 their RFPs, their RFAs.

12 THE COURT: Well, he just said he doesn't need --  
13 he thinks that the issue you've raised can be decided  
14 without discovery. Is that what you said, Mr. Verick?

15 MR. VERICK: Yes. It can be decided while  
16 discovery continues. I mean, we file -- we served our  
17 discovery requests in May, and they've been -- they were  
18 stayed for three months after we had a settlement  
19 conference. And so we would -- I mean --

20 THE COURT: What would you --

21 MR. VERICK: -- the most important -- the most  
22 important thing for us in terms of discovery is that we get  
23 to do a site visit during the wet season when it's actually  
24 raining. And if we don't get that during the winter, then  
25 we won't be able to do this -- we won't be able to do

1 anything dispositive in this case, including motions for  
2 summary judgment, until after another winter passes. So  
3 it's imperative for us to be able to get onto the site  
4 during a rainy or at least one or two rain events and  
5 perhaps a dry season one, which could be done during the  
6 summer no problem. But that is what -- we need to do that  
7 in that order in order to be able to effectively prosecute  
8 this case and get it to trial before the end of next winter.  
9 So if they want to file a motion to dismiss based on their  
10 alleged inadequacy of the notice letter, that can go on  
11 while discovery proceeds.

12 THE COURT: All right. Well then if that's what  
13 Plaintiff says, then you may file that motion, Mr. Moore.

14 MR. MOORE: Understood, your Honor.

15 THE COURT: And if you could do it sooner rather  
16 than later.

17 MR. MOORE: Understood. Thank you. I do have --

18 THE COURT: It's not -- discovery is not closed,  
19 and I am directing you to allow the inspection of the  
20 property during the -- after one or two rain events as  
21 requested by Plaintiff. We don't unfortunately control when  
22 the rain events will happen. We're working on that, but we  
23 don't do that yet, so you're going to have to work that out.  
24 But after you've had what you view to be the adequate rain  
25 events, then there should be an inspection, so we don't need

1 to put this stuff off any longer than we have to.

2 MR. MOORE: Understood, your Honor. I just have  
3 two points on that.

4 The first, and we can breeze by this pretty quickly,  
5 they've had two inspections. They flew a drone over the  
6 property before the lawsuit was filed and again before their  
7 opposition to our motion was due. They haven't found  
8 anything.

9 THE COURT: Well, I imagine a drone is different  
10 from what you're talking about, isn't it, Mr. Verick?

11 MR. VERICK: Yes, very definitely is.

12 THE COURT: I mean, I have envisioned people with  
13 things pointing into the ground and that sort of thing.

14 MR. MOORE: Understood.

15 And the second larger issue -- and this is something  
16 that we can meet and confer with Mr. Verick about -- is that  
17 there is currently an endemic of bird flu in Sonoma County,  
18 and the California Department of Food and Agriculture has  
19 ordered dairies to limit access to essential personnel at  
20 this point to prevent the spread of the flu.

21 MR. VERICK: We will be happy to -- if the need  
22 be, we would be happy to work out some kind of a stipulation  
23 for a protective order.

24 After reading the exhibit that we got this afternoon  
25 that you sent out, it occurred to me that, you know, for

1 \$15, you can buy a brand new, never open to the air Tyvek  
2 suit that we could put -- we could all put those on, which  
3 include booties and the whole bit, wear gloves. We could do  
4 that, and we would be willing to do that to accommodate you  
5 on that issue.

6 THE COURT: All right. Well, I leave it to you  
7 two to be -- you three to work something reasonable out. If  
8 you need me to help you, I will, but I would think that some  
9 combination of cooperation and suits would be able to deal  
10 with the issue, so that you could get the inspection of the  
11 property after one or two rain events. So let me know if  
12 you can't work that out. I would expect you can, and I  
13 would expect you to.

14 Now, what I wanted to do today was get a plan for the  
15 balance of the case. I think rather I will get a plan for -  
16 - until next steps. So, Mr. Moore, if you're going to move  
17 to do -- to say the notice was inadequate as a terminal  
18 matter, why, make your motion, and we'll deal with it.  
19 Discovery is not closed, however, and you should do what you  
20 need to do. To the extent that the rainy season actually  
21 has started and continues, why, then do your inspection.

22 And I think we should come back in, say, four to five  
23 months time, find out where we stand, and then make plans  
24 for that.

25 Is -- if there is a trial, is it a jury trial or a

1 court trial?

2 MR. MOORE: Court trial, your Honor.

3 THE COURT: Is it -- is that right, Mr. Verick?

4 MR. MOORE: That's fine with us.

5 THE COURT: Okay. Well, some -- I don't know what  
6 the statute says. But, anyway -- all right. We'll have a  
7 court trial. And we can set it after the next -- at the  
8 next setting -- at the next status.

9 So, Esther, I think we should come back -- how about in  
10 April? And -- I mean, if Mr. Moore is persuasive in his  
11 motion, maybe we won't come back. But assuming that we get  
12 past that, like what date in April would be good, Esther?

13 THE CLERK: April 17.

14 MR. VERICK: That would work for us.

15 MR. MOORE: Likewise.

16 THE COURT: Okay. So we'll come back on Friday,  
17 April 17th. It'll be at 3:00 in the afternoon, unless we  
18 notify you that it would be earlier than that in the day,  
19 depending on how our calendars go. And we will talk about  
20 how you have done with things, and we will set such schedule  
21 as is required later.

22 Now, how did you leave it with Judge Kang?

23 MR. VERICK: We were -- I think we were supposed  
24 to -- aren't we supposed to contact him once discovery  
25 reopened? I can't remember.

1 THE COURT: Well, this says, "He offered a further  
2 conference pending Defendant Travis Moreda's deposition."

3 MR. MOORE: That's correct.

4 THE COURT: So have you got -- you haven't got  
5 that yet, or have you?

6 MR. VERICK: We haven't.

7 THE COURT: Okay. Well, I would urge that that be  
8 among the other things you do right away is get that  
9 completed, and then contact him again to see if there's  
10 anything further that he can arrange for you.

11 Other than that, I will see you in April.

12 MR. VERICK: Thank you, your Honor.

13 THE COURT: Anything else --

14 MR. MOORE: Thank you, your Honor.

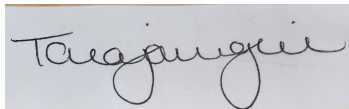
15 THE COURT: No. Okay. Thank you.

16 (Proceedings adjourned at 2:58 p.m.)  
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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages of the official electronic sound recording provided to me by the U.S. District Court, Northern District of California, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not financially nor otherwise interested in the outcome of the action.

A rectangular box containing a handwritten signature in cursive script that reads "Teagunee".

Echo Reporting, Inc., Transcriber

Tuesday, December 23, 2025